



**Benjamin W. Hulse**  
**Direct Dial: 612-343-3256**  
**E-Mail: [bhulse@blackwellburke.com](mailto:bhulse@blackwellburke.com)**

September 8, 2017

**VIA ECF**

The Honorable Joan N. Ericksen  
District Judge, District of Minnesota  
United States District Court  
12W U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

RE: *In re Bair Hugger Forced Air Warming Devices Products Liability Litigation*  
MDL No. 15-2666-JNE-FLN

Dear Judge Ericksen:

Pursuant to Local Rule 7.1(f)(1)(D), and with the consent of Plaintiffs, Defendants seek an additional 8,000 words beyond the 12,000-word limit otherwise provided under Local Rule 7.1(f)(1)(B) for their forthcoming omnibus motion to exclude the engineering opinions and testimony of Plaintiffs' experts.

Plaintiffs have disclosed seven experts: three medical experts, three engineering experts, and one hybrid engineering/regulatory expert. To avoid repeating the same facts and arguments over multiple briefs, Defendants are filing just three, rather than seven, *Daubert* motions: one challenging Plaintiffs' medical experts' opinions, one challenging Plaintiffs' engineering experts' mechanistic theories, and one directed solely to Plaintiffs' hybrid regulatory/engineering expert's regulatory and related opinions.

Defendants do not seek additional words for the medical and regulatory motions. But given the lengthy factual background needed to address the engineering experts' opinions, Defendants wish to exceed the 12,000-word limit for that motion specifically. Defendants therefore request an additional 8,000 words, for a total of 20,000, for their memorandum and reply. This is many fewer words than would be allotted under the Local Rules if Defendants were to file separate motions challenging each of Plaintiffs' experts individually.

Plaintiffs have consented to Defendants' request for an additional 8,000 words on the challenge to Plaintiffs' engineering experts, based on Defendants in return consenting to an additional 8,000 words for Plaintiffs' opposition brief. Plaintiffs have asked Defendants to state that they reserve

The Honorable Joan N. Ericksen

September 8, 2017

Page 2

their right in the future to request additional words to respond to Defendants' medical and regulatory briefs.

Sincerely,

s/ Benjamin W. Hulse

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